

SEP 22 2005

BEFORE THE UNITED STATES PATENT AND TRADEMARKS OFFICE

Inventor: John McDOUGALL
Assignee: SNC TECHNOLOGIES INC.
Serial No.: 10/783,032
Title: JACKETED, NON-TOXIC, IMPROVED PERFORMANCE STEEL
PENETRATOR/CORE BULLET
Filed: February 23, 2004
Confirm. No.: 3788
Art Unit: 3641
Our File: SNC-134.US (5008-134-10)

September 22, 2005

By Fax only: (571) 273-8300

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450 USA

Dear Sir:

Certificate of Facsimile Transmission

I, the undersigned Registered Patent Attorney, hereby certify that the documents delivered herewith are being transmitted by telephone facsimile to the United States Patent and Trademark Office on the above date.

The document being transmitted is as follows:

- Response to Office Action dated June 23, 2005
(1 page)

Respectfully submitted,

Per: 

David J. French
Reg. No. 31,229

— such documents have been transmitted in accordance with the particulars on the attached telefax confirmation sheet.

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Examiner: Troy Chambers
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Mail Stop Amendment
The Commissioner of Patents
P.O. Box 1450
Alexandria, VA
U.S.A. 22313-1450

Dear Sir:

Response

This letter is in Response to the Examiner's Office Action of June 23, 2005. A petition for a two-month extension of time within which to reply follows separately.

Voluntary Amendment

The Applicant is separately filing a Voluntary Amendment and an Information Disclosure Statement with this present Response. This Response presumes that the Voluntary

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Amendments will be entered. Those amendments include new claims submitted under PCT Article 19 in respect of a parallel PCT application which is now pending.

The Examiner issued an Election Requirement under 35 U.S.C. 121 in respect of the following identified species:

Species A	-	Figure 11A
Species B	-	Figure 12A
Species C	-	Figure 13
Species D	-	Figure 14

In fact, the Applicant has now deleted those Figures in his Voluntary Amendment and upgraded the other figures to contain corresponding reference numbers. The Applicant submits that no election or restriction requirement is justified. There is but one invention, best exemplified by Figure 11. Figures 10 and 12 show details of the core 12 which is also depicted in Figure 11.

The feature of the inventions of primary concern depicted in Figure 11 is the gap 17. Claims 14 to 36 all read-on Figure 11. Accordingly, the Applicant submits that examination should proceed on the basis that this application addresses a single invention.

The Applicant is filing an IDS that reflects both the search results in respect of the corresponding PCT filing and other art located by the Applicant. We await the Examiner's first Office Action herein.

Respectfully submitted,
John McDougall

Per: 

David J. French

DJF:ww
Encl.